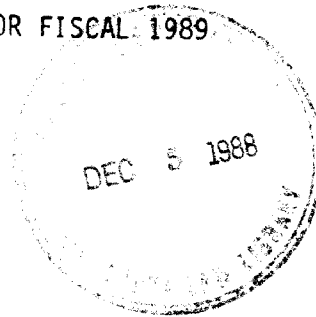


IN THE COURT OF APPEALS OF MARYLAND

IN RE: CERTIFICATION OF NEEDS FOR ADDITIONAL
JUDGESHIIPS FOR FISCAL 1989



TO: The President of the Senate
The Speaker of the House of Delegates

FROM: Robert C. Murphy, Chief Judge

DATE: December 18, 1987

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ROBERT C. MURPHY
CHIEF JUDGE
COURT OF APPEALS OF MARYLAND
COURTS OF APPEAL BUILDING
ANNAPOLIS, MARYLAND 21401

December 18, 1987

Hon. Thomas V. "Mike" Miller, Jr.
President of the Senate
State House
Annapolis, Maryland 21401

Hon. R. Clayton Mitchell
Speaker of the House
State House
Annapolis, Maryland 21401

Re: Judgeship Needs -- Fiscal Year 1989

Gentlemen:

In accordance with established procedures, I submit herewith my certification as to the need for additional judgeships for Fiscal Year 1989. After careful study of all the information available to me, I believe that seven additional judgeships should be created during the 1988 Session of the General Assembly. This includes one circuit judge each for Baltimore City, Baltimore, Charles, Prince George's, and Wicomico Counties and one District Court judge each for Charles and Prince George's Counties.

I certify the need for these judgeships with full realization as to the costs, both to the State and to the political subdivisions. Nevertheless, I believe it is incumbent upon me, as administrative head of the State's judicial system, to convey to you my view that these positions are required to maintain the effective and efficient administration of justice for the benefit of the citizens of this State.

Before providing details as to my reasons for requesting seven new judicial positions next year, please permit me to summarize our annual review process. As in the past, the Administrative Office of the Courts has prepared a statistical analysis of the workload and performance of our circuit courts. By applying a workload measure to case filings projected through Fiscal 1989 and by applying other statistical data, preliminary indications are made as to where additional judgeships may or may not be needed. (A copy of the Analysis, Exhibit A, is attached for your review and consideration.)

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The preliminary analysis is distributed to the eight circuit administrative judges who are encouraged to submit their own views as to the needs for judges (see attached Exhibits B-1 through B-7). These views are shared in some instances with other circuit court judges, bar associations, and legislators, as well as local governmental officials. Finally, after reviewing the statistical analysis and the responses of the administrative judges, certification is prepared.

As of July 1, 1987, there were 220 judicial positions authorized in Maryland, allocated in the following manner:

Court of Appeals	7 judges
Court of Special Appeals	13 judges
Circuit Courts	109 judges
District Court	91 judges

Each of these court levels undertakes to maximize the use of limited resources in order to keep current with their burgeoning caseloads. Some steps taken by these courts include the temporary recall of retired judges; the assignment of active judges from other areas of the State, as well as other courts; and various other administrative efforts aimed at managing caseload, particularly in the preliminary phases of litigation. All of these efforts are helpful in controlling the courts' workload but, from time to time, it is necessary to add permanent judicial positions.

After consulting with Chief Judge Richard P. Gilbert of the Court of Special Appeals, I plan not to seek any additional positions in that Court in Fiscal 1989. Over the past several years, the high volume of work has been a tribute to the outstanding dedication and hard work of the judges of the Court of Special Appeals. Since that workload has now stabilized, it appears that no additional personnel will be needed in the upcoming fiscal year.

In the circuit courts, I am seeking five additional judgeships in four circuits throughout the State. Over the past two fiscal years, I have refrained from requesting additional judgeships in the circuit courts but now, because of the rising tide of litigation, I am faced with no other alternative but to request permanent judicial positions. In Fiscal 1987, the circuit court reported nearly 194,000 total case filings, statewide (excluding juvenile cases filed in Montgomery County which are heard in the District Court). This represents an increase of 7,500 filings over the previous fiscal year and infusion of more than 42,000 case filings over the past five fiscal years. As in previous years, much of this increase is attributable to several factors: A high number of cases filed with the courts affecting the family -- divorce, child abuse, foster placements, etc.; greater influx of cases involving specialized litigation, such as asbestos claims; and a multitude of misdemeanor cases which are now being filed in the circuit court after having requested a jury trial in the District Court. In Fiscal 1987, over 28,000 of these cases were removed from the District Court to the

circuit court. Even though less than 2 percent of these cases ever result in a jury trial, the impact of these cases upon the circuit courts is now reaching significant proportions. In October of this year, a special eight-member committee, chaired by District Court Administrative Judge Ciotola, presented a comprehensive report to me on the extent of the problem, statewide. Currently, an entire range of solutions is being considered which will hopefully reduce the high volume of these requests in the "not-too-distant" future.

In the civil area, funds were made available last year by the General Assembly to support the use of former judges in the pretrial settlement of cases in the circuit courts. The concept behind this effort is to have former judges preside over settlement conferences in order to make the civil dockets more manageable. Former judges are recalled as judges and not masters in order to give them all the powers which active judges presently possess under the Maryland Constitution and statutes. Thus far, four of the eight judicial circuits have begun to experiment with settlement programs of this nature, and it is hoped that more will do so in the future.

Turning to the requests of the individual circuit courts, Judge Simpkins, for the second consecutive year, has made a strong case for adding a new judge in the First Judicial Circuit (see Exhibit B-1). He cites the fact that the circuit court workload in both Dorchester and Wicomico Counties is now supported on a regular basis through the use of active judges (from other areas of the circuit) and retired judges. Judge Simpkins, himself, has devoted nearly a fifth of his time in presiding over trial dockets during the last year in both of these courts (36 days in Wicomico County and 13 Days in Dorchester County). In view of the fact that Judge Simpkins will not be able to assist those counties as he has done in the past when the Eastern Correctional Facility becomes fully operational in Princess Anne and the fact that both of these jurisdictions have experienced a continued need for additional judicial assistance, I am left with no other alternative but to request an additional judge in the First Circuit in Fiscal 1989. As proposed, the judge would be authorized for Wicomico County but would fill the needs of regular assignments in Dorchester County. In the Second Judicial Circuit, Judge Wise perceives the need for no additional judgeships at this time (see Exhibit B-2).

In the Third Judicial Circuit, Judge Frank E. Cicone has requested one circuit court judge for Baltimore County. In addition to the Statistical Analysis prepared by the Administrative Office of the Courts (Exhibit A) which indicates a need of 1.4 additional judges, Judge Cicone cites numerous factors on which he bases his request: a 20 percent increase in criminal indictments, part of which has led to the scheduling of 25 murder trials; a large inventory of asbestos litigation which currently stands at 1,500 cases and increasing at the rate of 180 additional cases monthly; and an additional climb in prayers for jury trials from the District Court which amounted to nearly 1,000 additional case filings in Fiscal 1987.

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In the Fourth, Fifth, and Sixth Judicial Circuits, I do not plan to request an additional circuit court judge in Fiscal 1989. The Circuit Administrative Judges in each of those circuits concur in this recommendation.

Judge Loveless, in the Seventh Judicial Circuit, has requested two judgeships, one each in Charles and Prince George's Counties. According to projections in the Administrative Office of the Courts, both of these jurisdictions are heavily in need of additional judges in Fiscal 1989 (Exhibit A). In Charles County, the population growth has been one of the highest in the State. By the end of the current fiscal year, over 92,000 people are projected in Charles County, more than 20,000 over the 1980 census. In Fiscal 1987, both Prince George's and Charles Counties witnessed an increase in court filings. Charles County's workload rose 23 percent by 900 additional filings, while Prince George's reported an increase of nearly 2,000 additional filings. As indicated in the enclosed letters from Judges Loveless and Bowling (Exhibit B-6), space would be made available by the local subdivisions for both of these judicial positions if approved during the upcoming session of the General Assembly.

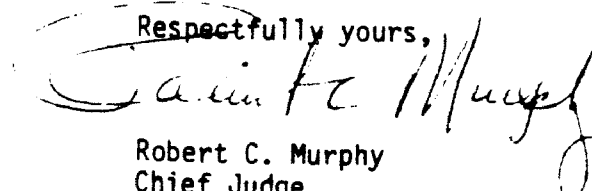
In the Circuit Court for Baltimore City, Judge Kaplan has repeated his request of last year in which he asked for one additional circuit court judge. While it is true that Baltimore City's population has declined over the past decade, it still remains the hub of activity for both the business and legal communities. Much of this process of urbanization results in an increased workload for our courts. Over the past four years, the number of cases filed in the Circuit Court for Baltimore City has risen significantly -- by more than 9,000 additional filings. During that time period, no additional judgeships were created in the Circuit Court for Baltimore City. Much of the increase is attributable to a variety of factors: increased demands for jury trials in misdemeanors -- up 4,500 case filings since Fiscal 1984; an ever-growing number of asbestosis cases -- currently 2,100 pending cases; and a higher number of cases related to the family such as CINA petitions (children in need of assistance) which have increased by more than 500 case filings over the past four fiscal years.

With respect to the judicial needs of the District Court, Chief Judge Sweeney has requested two additional judgeships in Fiscal 1989, one for Charles and one for Prince George's Counties (Exhibit C). As noted previously in this letter, Charles County is one of the high growth areas of this State. What is truly remarkable is that there is only one District Court judge in a county that has a population of nearly 92,000 people. This has translated into extremely long hours for the current sitting District Court judge. This fact alone justifies the need for an additional judge in that county. In Prince George's County, the requested additional judge will be located in Largo on a temporary basis. From the caseload statistics submitted by Chief Judge Sweeney, it appears that both of these jurisdictions have experienced recent growth.

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In summary, I believe the requests in this certification to be conservative, based on modest projections. I have attached to this letter draft bills providing for the additional judgeships I have recommended. Should you wish further information, I shall be glad to see that it is provided, either now or at the hearings concerning this request.

Respectfully yours,


Robert C. Murphy
Chief Judge

RCM:npg
Enc.

cc: Hon. William Donald Schaefer, Governor
Hon. Laurence Levitan, Chairman, Senate Budget and Taxation Committee
Hon. Walter M. Baker, Chairman, Senate Judicial Proceedings Committee
Hon. Charles J. Ryan, Chairman, House Appropriations Committee
Hon. William S. Horne, Chairman, House Judiciary Committee
Hon. Richard P. Gilbert, Chief Judge, Court of Special Appeals
Hon. Raymond G. Thieme, Jr., Chairman, Conference of Circuit Judges
Hon. Robert F. Sweeney, Chief Judge, District Court
Circuit Administrative Judges
James H. Norris, Jr., Esq., State Court Administrator
F. Carvel Payne, Esq., Director, Dept. of Legislative Reference
Mr. Richard W. Stringer, Budget Analyst, Dept. of Budget and Fiscal Planning
Ms. Karen D. Morgan, Administrative Analyst, Dept. of Fiscal Services
Mr. Peter J. Lally, Assistant State Court Administrator

STATISTICAL ANALYSIS OF THE NEED FOR
ADDITIONAL JUDGESHIPS IN THE CIRCUIT COURTS

Fiscal 1989

Administrative Office of the Courts
Courts of Appeal Building
Post Office Box 431
Annapolis, Maryland 21404
301/974-2141

STATISTICAL ANALYSIS OF THE NEED FOR
ADDITIONAL JUDGESHIPS IN THE CIRCUIT COURTS

Fiscal 1989

I. INTRODUCTION

On January 4, 1979, Chief Judge Robert C. Murphy began an annual procedure of formally certifying to the General Assembly the need for additional judges in Maryland. This process, which has become known as the certification process (or judicial allocation plan), was suggested by the Legislative Policy Committee prior to the 1979 session of the legislature. Since its implementation, it has allowed the Judiciary the opportunity to present the need for judgeships based on a review of a comprehensive set of factors including workload and other variables which affect the daily movement of cases through the State's judicial system.

The Chief Judge's Certification Process in identifying needs in the circuit courts involves three different steps. The starting point and the subject of this report is a statistical analysis prepared by the Administrative Office of the Courts. Several variables are considered at this interval: actual and projected filings; the number of pending cases per judge; the number of dispositions per judge; the ratio of attorneys to judges; the time required for the filing of the case through disposition (divided by criminal, civil, and juvenile) and the population per judge for each jurisdiction in Maryland. By reviewing these factors and applying caseload projections, preliminary indications can be made as to where additional judges are needed. It is important

to emphasize that these indicators are only preliminary at this juncture and they are only meant to act as a guide in assisting where additional judicial positions may be needed. The final decision or position of the Judiciary is not made until the end of the third step.

The second phase of certification involves local input. It is at this stage of development, after reviewing the statistical analysis prepared by the Administrative Office of the Courts and assessing local factors, that each circuit administrative judge responds to the need for additional judgeships. This response is given after several groups or individuals have been consulted. For example, the circuit administrative judge will seek the views of the administrative judge from the county where an additional judge may be considered. The circuit administrative judge will also solicit opinions from all or a select number of members of the bench from that county. Additional insight may be obtained from members of the bar, State and local legislators, and other individuals involved with providing local support. In all, based on a thorough review of the local environment and additional factors which may justify the need for increasing judgeships, the circuit administrative judge is asked to address the circuit's need for additional judgeships. In responding, the circuit administrative judge is asked to address the following points:

- A. Is there agreement or disagreement with the statistical analysis prepared by the Administrative Office of the Courts?
- B. If there is disagreement with the analysis for additional judges, what factors (such as the availability of inter- or intra-circuit assignments or the use of District Court or

retired judges, the lack of physical facilities or the lack of fiscal support, improved administrative procedures, etc.) support this view?

- C. If there is disagreement with the analysis against additional judges, what factors (such as the unavailability of inter- or intra-circuit assignment, District Court judges, or retired judges, the availability of physical facilities and local fiscal support, complexity of cases, case delay, demographic or economic factors, etc.) support this view? Are all case-flow management procedures being utilized in order to minimize the need for more judges?
- D. If there is agreement with the formula recommendations, are there physical facilities and anticipated local financial support for any recommended additional judgeships? Does the local delegation of State legislators support this need? What is the position of the local bar and others who might be called upon to support the request for an additional judgeship?

The final phase of the certification plan occurs when the Chief Judge of the Court of Appeals reviews the responses from administrative judges as well as the preliminary statistical analysis. Before making a final decision, he may also choose to discuss the request further with the administrative judge or others who may have specific knowledge about the request. Final certification is then drafted for the legislative leadership based on a distillation of all the information available to the Chief Judge. This step is normally taken in advance of the legislature convening in January.

II. METHODOLOGY FOR STATISTICAL ANALYSIS

In order to statistically review the need for judgeships, a variety of factors (or variables) can be looked at in order to help gauge where an additional judge may be needed. In Maryland, the first step is to assess the relative need of a jurisdiction by reviewing factors which may influence workload and performance of the courts. The second approach is to look at the specific needs of a jurisdiction by applying a particular formula. If the relative needs analysis and the formula approach both indicate a need for an additional judgeship, then there is a strong likelihood that a solid statistical need exists for a judgeship in that jurisdiction.

Reviewing the time required to terminate cases (performance measure) is one method of showing how the circuit courts are coping with increases in caseload. Table 3 illustrates the average number of days between filing and disposition for all cases terminated over the past four fiscal years (1984, 1985, 1986, and 1987). Civil cases generate the most time in terms of a case moving from the date of filing to final disposition and it appears that the average time for these cases in Fiscal 1987 is approximately 214 days. Criminal filings are the next highest, averaging 112 days (Fiscal 1987) followed by Juvenile filings which averaged 66 days (Fiscal 1987).

Workload measures are compared in Table 5. These include filings per judge, pending cases per judge, dispositions per judge, population per judge, and attorney/judge ratio. (Detailed population figures are found in Table 4.) All variables are ranked in Table 6. A distinction is made between predictive factors and performance factors. Predictive factors generally indicate those elements which may affect the amount of

business or workload of the courts in the foreseeable future, while performance factors tend to illustrate the ability of the courts to handle their workload. By comparing two sets of factors collectively (Table 7), one can gain a perspective of the relative needs of the jurisdictions in Maryland in terms of volume and their ability to cope with workload demands.

After reviewing the method for determining relative needs, a more specific analysis of each area of the State is then considered. Projections are developed for Fiscal 1988 and Fiscal 1989 and then applied to a scale to predict numerically the need for judicial positions. The following scale was utilized for Fiscal 1989 projections:

- A. 1,000 case filings in jurisdictions with 1 to 3 judicial officers;
- B. 1,100 case filings in jurisdictions with 4 to 8 judicial officers;
- C. 1,200 case filings in jurisdictions with 9 to 14 judicial officers;
- D. 1,300 case filings in jurisdictions with 15 to 19 judicial officers; and
- E. 1,400 case filings in jurisdictions with 20 or more judicial officers.

The results of the filings standard analysis are shown in Table 8. The first column after the jurisdiction represents the total 1989 projected filings for civil, criminal, and juvenile cases. The second column represents existing authorized judgeships. The third column shows the number of available full- and part-time masters, both juvenile and domestic relations, and also District Court judges who are cross designated to hear juvenile and other matters in the circuit court. It also indicates the number of retired judges who are recalled in some

jurisdictions for settlement conferences. The fourth column combines the second and third columns into a total combined number of judicial officers. The fifth column illustrates the projected number of total case filings per judicial officer. The sixth column shows the estimate of judge needs by applying the appropriate filing standard to the projected adjusted caseload, and the last column represents preliminary estimate of needed judicial manpower in terms of existing judicial resources and projected need. A surplus is shown by a number in parentheses and a shortage or a need for judges is shown by a number without parentheses.

III. GENERAL TRENDS WITHIN THE CIRCUIT COURTS

In the circuit courts, 193,879 filings were reported in Fiscal 1987 compared to 186,210 cases filed in Fiscal 1986 (excluding juvenile matters filed in Montgomery County). This represents a difference of over 7,500 additional filings or an increase of approximately 4.1 percent in total filings. Increases were reported in criminal filings, 13.5 percent and juvenile filings, 5.2 percent, while civil filings decreased slightly -- 0.5 percent. (See Table 1). Since Fiscal 1982, total filings have increased nearly 40 percent or more than 55,000 additional filings. The most consistent and significant increases have occurred with criminal filings, chiefly as the result of a large number of requests in the District Court for jury trials in misdemeanor cases. Since the District Court does not conduct jury trials, all of these requests are transferred to the circuit courts for disposition. In Fiscal 1987, 28,244 jury trial requests were filed in the circuit courts

throughout the State. This represented more than 50 percent of the entire criminal caseload for the year (55,247 criminal filings).

In 1981, the General Assembly passed a law aimed at reducing the number of demands for jury trials in the District Court (Chapter 608, Acts of 1981). As a result, jury trial prayers dropped by one-half after the first year (*infra* p. 8). In Fiscal 1983, two years after passage of the law, jury trial prayers increased close to the level where they were prior to the enactment of Chapter 608. The effectiveness of this law in reducing jury trial prayers was considerably lessened when, in April of 1984, the Court of Appeals ruled as unconstitutional the denial of a jury trial for a theft offense carrying a penalty of 18 months imprisonment. (See Kawamura v. State, 299 Md. 276, 473 A.2d 438 (1984).) In Fiscal 1984, jury trial prayers exceeded the 1981 level. As a result of another Court of Appeals decision the effectiveness of the law was thereafter further reduced. (See also Fisher v. State, 305 Md. 357, 504 A.2d 626 (1986).) As a practical matter, therefore, the 1981 law has no impact upon the jury prayer problem.

Over the past three years, these requests have climbed from 19,180 in Fiscal 1985 to 23,284 in Fiscal 1986 to 28,244 in Fiscal 1987. While in most jurisdictions less than two percent of the cases actually result in a jury trial, a significant amount of court time is now required to dispose of the requests when scheduled for the circuit court. This influx of these cases is the single most important problem affecting the administration of the circuit courts throughout the State.

Jury Trial Prayers Pre- and Post-Gerstung Law (Chapter 608)

	Pre- Ch. 608	Post-Chapter 608					
	FY 81	FY 82	FY 83	FY 84	FY 85	FY 86	FY 87
Baltimore City*	5,925	2,034	3,209	4,128	5,948	7,407	8,698
Anne Arundel County	503	381	392	459	720	922	1,066
Baltimore County	1,312	1,050	1,424	1,513	2,245	3,363	4,348
Montgomery County	636	489	1,223	1,924	2,631	2,511	3,560
Prince George's County	952	895	1,583	2,755	4,043	4,348	4,003
All Other Counties	<u>2,962</u>	<u>1,399</u>	<u>1,930</u>	<u>2,414</u>	<u>3,593</u>	<u>4,733</u>	<u>6,569</u>
Total	12,290	6,248	9,761	13,193	19,180	23,284	28,244

*Based on number of defendants provided by the Criminal Assignment Office of the Circuit Court for Baltimore City.

Since the certification process began in January of 1979, 19 circuit court judgeships and five District Court judgeships have been created. During the 1979 session of the General Assembly, seven circuit court judges were approved -- two in Anne Arundel, one each in Baltimore City, Charles, Montgomery, Prince George's, and Worcester Counties (Chapter 480, Acts of 1979). In 1980, while the circuit judgeship bills were not enacted (SB 674 and HB 997), one District Court judge was authorized in Howard County (Chapter 266, Acts of 1980). The following year, 1981, the General Assembly approved six circuit court judges under the certification process -- two in Baltimore County, one each in Harford, Howard, Montgomery, and Washington Counties (Chapters 532 and 634 of 1981 Acts). In 1982, one circuit court judge was approved in Prince George's County (Chapter 132 of 1982 Acts). During the 1983 session, one judge was approved in the District Court for Montgomery County (Chapter 141 of 1983 Acts); two circuit court judgeship requests in Frederick County and Baltimore City were not approved.

In 1984, the General Assembly created five new judicial positions: two District Court judgeships, one each in Prince George's County and Baltimore City (Chapter 107 of 1984 Acts); and three additional judgeships in the circuit courts, one each in Baltimore, Frederick, and Prince George's Counties (Chapter 191 of 1984 Acts). During the 1985 session of the General Assembly, two circuit court judgeships were authorized, one each for Montgomery and Prince George's Counties (Chapter 21 of 1985 Acts). In Fiscal 1986, no additional judgeships were requested or authorized for the circuit courts. Over 80 percent of judgeship requests have been approved since the certification program began at the request of the Legislative Policy Committee over nine years ago. During the last fiscal year, one additional judge was approved for the District Court in Montgomery County (Chapter 208 of the 1987 Acts).

IV. CIRCUIT-BY-CIRCUIT ANALYSIS

First Circuit

Dorchester, Wicomico, Worcester, and Somerset Counties make up the four-county area of the First Judicial Circuit which is located in the southern portion of the Eastern Shore of Maryland. Six circuit court judges are permanently authorized in the First Circuit -- two in Wicomico and Worcester Counties and one each in Dorchester and Somerset Counties. On a temporary basis, between seven to nine additional judicial days are provided to Dorchester County each month. This additional assistance is primarily supported by retired judges (five to six days per month) while the active bench within the circuit provides the balance of support on a rotational cycle (two to three days per month).

In Fiscal 1987, the First Judicial Circuit reported 7,670 total filings. Although this represents only a slight increase over the amount reported in Fiscal 1986 (1.5 percent or 118 additional filings), it indicates a significant increase over the total filings recorded in Fiscal 1985. In that year, 6,366 filings were registered throughout the circuit, which meant an increase over the past two fiscal years of 20.4 percent or an additional 1,304 filings. (See Table 2.)

In comparing workload measures throughout the State, Dorchester County ranks seventh in the number of filings per judge (1,865) and fifth in the number of dispositions per judge (1,722). (See Table 5.) By Fiscal 1989, it is projected that the First Judicial Circuit will need 7.7 judicial officers -- approximately 1.7 more than the number of judges currently authorized. Most of this need appears to be in Dorchester County (0.8 of a judge) and Wicomico County (0.6 of a judge). (See Table 8.)

Second Circuit

The Second Judicial Circuit is composed of a five-county area located in the northern segment of the Eastern Shore of Maryland. It includes Caroline, Cecil, Kent, Queen Anne's, and Talbot Counties. There is at least one resident judge in each county within the circuit except Cecil County where there are two circuit court judges.

Population in the Second Judicial Circuit is beginning to grow significantly, particularly in Cecil and Queen Anne's County. By July 1, 1988, it is projected that Cecil County will have a population of 70,900 and Queen Anne's County, 30,500. (See Table 4.) Talbot County ranks sixth in the State in the number of attorneys per judge

(92 to 1) and first in the State in the longest disposition of criminal cases (186 days). Caroline County ranks sixth in the elapsed time of criminal matters (160 days). (See Table 6.)

In terms of workload formula, it would appear that Cecil County would have the strongest statistical need for a judge within the circuit (0.05 of a judge). (See Table 8.) With pre-settlement conferences being developed on a part-time basis in each of the counties within the circuit and with the assistance of other temporary judicial assignments, it may appear that the judicial needs may be met through Fiscal 1989.

Third Circuit

Baltimore and Harford Counties constitute the Third Judicial Circuit. It also represents the third highest volume circuit in the State in terms of overall court filings. Seventeen circuit court judges are authorized in the two-county area -- 13 in Baltimore County and four in Harford County. Baltimore County's circuit court is also assisted by one full-time juvenile court master, two part-time settlement judges, and one part-time master in child support. There is also one part-time juvenile master in Harford County.

Over the past four fiscal years, there has been a steady increase in the number of court filings in both jurisdictions. In Baltimore County, 24,325 filings were reported in Fiscal 1987. This represents an increase of approximately 32.5 percent since Fiscal 1984. During this time period, Baltimore County has recorded the following increases: Fiscal 1985 -- 20,176 filings, up 9.9 percent (over the previous fiscal year); Fiscal 1986 -- 23,137 filings, up 14.6 percent; and Fiscal 1987 -- 24,325 filings, up 5.1 percent. Harford County has also experienced

a similar growth in filings. Since Fiscal 1983, there have been over 1,500 additional court filings, representing a climb of 38.7 percent.

As evidenced in other metropolitan jurisdictions, a significant portion of both of these increases is attributable to the increase in the number of requests for jury trial prayers. Since Fiscal 1982, these requests have risen by over 3,000 which means that the circuit court in Baltimore County can anticipate that many additional filings for the next several fiscal years.

	<u>FY 81</u>	<u>FY 82</u>	<u>FY 83</u>	<u>FY 84</u>	<u>FY 85</u>	<u>FY 86</u>	<u>FY 87</u>
Motor Vehicle Jury Trial Prayers	250	204	279	322	593	1,102	1,411
Criminal Jury Trial Prayers	<u>1,062</u>	<u>846</u>	<u>1,145</u>	<u>1,191</u>	<u>1,652</u>	<u>2,261</u>	<u>2,937</u>
	1,312	1,050	1,424	1,513	2,245	3,363	4,348

The court can also anticipate a sizable number of civil cases related to asbestosis. Over 1,500 of these cases are currently pending and between 150 and 200 asbestos cases are filed monthly in Baltimore County.

The population growth in the Third Judicial Circuit is expected to increase at the same rate as other areas of the State. By July 1, 1988, it is projected that this area will inhabit 850,700 people or about 6.1 percent more than was reported in the 1980 census. This means an annual growth of 0.47 percent (Table 4). Baltimore County ranks third in population per judge (53,354), third in the number of attorneys per judge (157 to 1), fourth in the number of pending cases per judge (1,816), and sixth in the number of filings per judge (1,871). (See

Table 5.) Harford County reported the second highest number of pending cases per judge in the State in Fiscal 1986, with 2,139 filings pending per judge. In addition, Harford County ranked third highest in the State for the disposition of criminal filings (166 days) while Baltimore County ranked sixth in the disposition of civil cases (213 days). (See Table 6.)

In terms of projected number of judges, Table 8 indicates that by Fiscal 1989, Baltimore County will need 1.4 judges and Harford County will need 0.5 of a judge.

Fourth Circuit

The Fourth Judicial Circuit is located in the western area of Maryland and has three counties: Allegany, Garrett, and Washington Counties. There are six judges authorized for the circuit on a permanent basis: two in Allegany County; one in Garrett County; and three in Washington County. In Fiscal 1987, the circuit reported 6,679 total case filings. This is similar to the amount recorded for the circuit in Fiscal 1986 but represents an increase of 24.1 percent since Fiscal 1984 (5,378 total filings).

In reviewing other comparable workload factors, Allegany County ranks fourth in the disposition of criminal cases (165 days), and fifth in the elapsed time of civil matters (216 days). Washington County is eighth (146 days) in the State for its time frame on criminal cases. No other comparative factors appear significant in the Fourth Judicial Circuit. With respect to the caseload formula in Table 8, Washington County appears to be the only jurisdiction in the circuit with a positive judgeship projection -- 0.7 of a judge.

Fifth Circuit

The Fifth Judicial Circuit is a geographical area which lies primarily between the metropolitan areas of Baltimore and Washington. It consists of Anne Arundel, Carroll, and Howard Counties. Fifteen judges are authorized in the circuit courts of these counties -- nine in Anne Arundel County, four in Howard County, and two in Carroll County. There are also three full-time juvenile/domestic relations masters in Anne Arundel County, one part-time juvenile master in Carroll County, and one full-time domestic relations master in Howard County.

In terms of population, the Fifth Judicial Circuit remains the largest growing area within the State. By July 1, 1988, the population for the circuit is projected at 674,700 people. This is approximately 85,000 more than the July 1980 population and it is anticipated that each subdivision within the circuit will grow as follows: Anne Arundel County -- 42,000; Howard County -- 28,000; and Carroll County -- 15,000 (Table 4). In measuring population per judge, Carroll County ranks second in the State (55,300), while Anne Arundel County is fifth (45,500).

As to other factors affecting judicial allocation, Howard County ranks fourth in the number of attorneys to judges (141 to 1) and Carroll County is fifth in the number of filings per judge (1,879). Anne Arundel County is also fifth in the number of pending cases per judge (1,810) and the number of attorneys to judges (96 to 1) (Table 5). In Fiscal 1987, Howard County reported the longest elapsed time for the disposition of civil cases (262 days), and Carroll County had the second longest time period for juvenile cases (82 days) (Table 6).

According to projections in Table 8, if current trends continue, Anne Arundel County will need 2.3 judges by Fiscal 1989 and Carroll County will require 1.1 additional judges. It is anticipated that in the upcoming year in Carroll County, there will be a greater use of pre-trial settlement judges which will hopefully assist with workload demands upon the court in the future.

Sixth Circuit

In Fiscal 1987, Montgomery and Frederick Counties both reported increases in the number of circuit court filings. Montgomery County showed an increase of 6.8 percent from 17,674 total filings in Fiscal 1986 to 18,877 total filings in Fiscal 1987. Frederick County's total filings climbed 6.0 percent from 3,195 in Fiscal 1986 to 3,388 in Fiscal 1987.

As stated earlier in this report, a significant portion of case-load increases in the circuit courts in recent years is attributable to the greater demand for jury trials originating from the District Court. The following chart indicates how the number of those requests in Montgomery County has risen for the past seven fiscal years.

	<u>FY 81</u>	<u>FY 82</u>	<u>FY 83</u>	<u>FY 84</u>	<u>FY 85</u>	<u>FY 86</u>	<u>FY 87</u>
Motor Vehicle Jury Trial Prayers	357	248	812	1,475	1,561	1,663	2,176
Criminal Jury Trial Prayers	<u>279</u>	<u>241</u>	<u>411</u>	<u>449</u>	<u>1,070</u>	<u>1,167</u>	<u>1,384</u>
	636	489	1,223	1,924	2,631	2,830	3,560

As to other workload factors, Montgomery County has historically ranked first in the number of attorneys per judge (260 to 1). It also ranks third in the number of pending cases per judge (1,993) and fourth in population per judge (49,031). The county also has the second highest elapsed time of criminal cases (178 cases) and the third longest disposition time for civil cases (242 days) (Table 6). In Fiscal 1989 (Table 8), it is anticipated that the needs of the Sixth Judicial Circuit will just about be practically met -- Montgomery County, -0.6 of a judge, and Frederick County, 0.3 of a judge.

Seventh Circuit

As indicated in Table 2, the Seventh Judicial Circuit is the second largest circuit in terms of court workload. In Fiscal 1987, there was a total of 43,583 filings reported in the circuit, representing an increase of 10.5 percent over Fiscal 1986 (39,422). Prince George's County and the southern Maryland counties of Calvert, Charles, and St. Mary's make up the Seventh Judicial Circuit of Maryland. Table 4 indicates that the smaller jurisdictions within this region are experiencing the greatest rate of population growth. It is anticipated that by July 1, 1988, each of the counties will have grown by 10,000 people. In Charles County, the population growth is expected to be nearer to 20,000.

In terms of jury trial requests from the District Court, Prince George's County has the third highest number of demands within the State. The following chart indicates the increase in these demands since Fiscal 1981 in Prince George's County.

	<u>FY 81</u>	<u>FY 82</u>	<u>FY 83</u>	<u>FY 84</u>	<u>FY 85</u>	<u>FY 86</u>	<u>FY 87</u>
Motor Vehicle Jury Trial Prayers	178	242	669	1,438	1,794	2,040	1,767
Criminal Jury Trial Prayers	<u>774</u>	<u>653</u>	<u>914</u>	<u>1,317</u>	<u>2,249</u>	<u>2,308</u>	<u>2,236</u>
	952	895	1,583	2,755	4,043	4,348	4,003

St. Mary's County has also witnessed an explosion of the requests over the past fiscal year. In Fiscal 1986, for example, there were 154 cases filed in the circuit court in which there was a demand for a jury trial. In Fiscal 1987, the county reported 559 jury demands -- an amount nearly four times greater.

St. Mary's (1), Charles (2), and Prince George's (4) Counties rank the highest with respect to the number of filings per judge. Table 5 illustrates these workload measures on a comparative basis. As to the elapsed time of cases, St. Mary's County ranks third in the disposition of juvenile cases (82 days), and Calvert County ranks fourth, averaging 81 days for a juvenile filing.

There are twenty judges authorized for the circuit courts of the Seventh Judicial Circuit -- sixteen of these are in Prince George's County. Six judicial masters are also employed in Prince George's County to dispose of matters ranging from child support to ancillary juvenile matters. St. Mary's County also employs a juvenile master on a part-time basis to handle juvenile matters. According to Table 8, both Prince George's and Charles Counties will appear to need increased judicial strength by Fiscal 1989.

Eighth Circuit

The Eighth Judicial Circuit is the Circuit Court for Baltimore City, which consists of 23 judges and 11 full-time juvenile and domestic relations masters to handle a workload of over 52,000 case filings each year. One District Court judge is assigned to court on a rotational basis during the year along with two part-time retired judges used for civil cases.

Over the past four fiscal years, the overall number of case filings has increased significantly in Baltimore City. In Fiscal 1984, there were 43,209 court filings compared to this current fiscal year (1987) when the court reported 52,302 total court filings. This represents an increase of 20.0 percent. A significant portion of this caseload increase is attributable to jury trial demands from the District Court. The following chart reflects the number of these cases in Baltimore City since Fiscal 1981.

	<u>FY 81</u>	<u>FY 82</u>	<u>FY 83</u>	<u>FY 84</u>	<u>FY 85</u>	<u>FY 86</u>	<u>FY 87</u>
Jury Trial Prayers ^a	5,925	2,034	3,209	4,128	5,948	7,407	8,698

^aBased on the number of defendants provided by the Criminal Assignment Office of the Circuit Court for Baltimore City.

Like other jurisdictions in the metropolitan area of Baltimore, the Circuit Court for Baltimore City is now experiencing a large number of asbestos cases. Currently over 2,000 of these cases have been filed in the Eighth Judicial Circuit. A retired judge has been assigned to hear these matters on an exclusive basis and it is anticipated that it will take many years before these matters could be resolved.

As to other workload considerations, Baltimore City ranks first in the number of pending cases per judge (4,229), second in the number of attorneys to judges (188 to 1), and third in the number of filings per judge (2,274). (See Table 5.) It also is second for the longest disposition time of civil cases -- 243 days. According to projections in Table 8, it is anticipated that 0.7 of a judge will be needed in Baltimore City by Fiscal 1989.

TABLE 1
STATEWIDE CIRCUIT COURT FILINGS BY CASE TYPE
FISCAL YEARS 1978 THROUGH 1987

Case Type	FY 78 Filings (% of Change)	FY 79 Filings (% of Change)	FY 80 Filings (% of Change)	FY 81 Filings (% of Change)	FY 82 Filings (% of Change)	FY 83 Filings ^c (% of Change)	FY 84 ^c Filings ^c (% of Change)	FY 85 Filings (% of Change)	FY 86 Filings (% of Change)	FY 87 Filings (% of Change)
Civil ^a	74,720 (+13.2%)	81,064 (+ 8.5%)	86,295 (+ 6.5%)	75,336 (-12.7%)	81,633 (+ 8.4%)	91,255 (+11.8%)	97,674 (+ 7.0%)	102,030 (+ 4.50%)	106,716 (+ 4.59%)	106,193 (- 0.5%)
Criminal	35,729 (-17.23%)	38,516 (+ 7.80%)	39,007 (+ 1.27%)	46,061 (+18.08%)	30,575 (-33.62%)	33,862 (+10.75%)	36,738 (+ 8.49%)	42,547 (+15.80%)	48,660 (+14.36%)	55,247 (+13.5%)
Juvenile ^b	22,472 (- 5.67%)	23,487 (+ 4.51%)	24,117 (+ 2.68%)	22,961 (- 4.79%)	26,481 (+15.33%)	26,518 (+ 0.13%)	26,626 (+ 0.40%)	27,387 (+ 2.90%)	30,834 (+12.58%)	32,439 (+ 5.2%)
Total	132,921 (- 0.07%)	143,067 (+ 7.63%)	149,419 (+ 4.43%)	144,358 (- 3.38%)	138,689 (- 3.93%)	151,635 (+ 6.92%)	161,038 (+ 6.20%)	171,964 (+ 6.78%)	186,210 (+ 8.28%)	193,879 (+4.1%)

^aBeginning in Fiscal 1985, "Law" and "Equity" were combined into one category and named "Civil."

^bExcludes juvenile causes in Montgomery County District Court.

^cDuring Fiscal 1981 and Fiscal 1982, reopened cases were counted when a hearing was held. In all other fiscal years, reopened cases are recorded at the time of the filing of the petition.

^dBeginning in Fiscal 1982, Baltimore City changed its criminal counting procedures from individual charges to cases which are defined as charges arising out of a single incident.

TABLE 2
PROJECTIONS OF CIRCUIT COURT FILINGS FOR
EACH JURISDICTION IN MARYLAND THROUGH 1989

Circuit/ Jurisdiction	Actual								Projected ^c	
	FY 80	FY 81 ^a	FY 82 ^b	FY 83	FY 84	FY 85	FY 86	FY 87	FY 88	FY 89
<u>First Circuit</u>	6,128	6,005	5,506	6,198	6,398	6,366	7,552	7,670	7,540	7,765
Dorchester	1,370	1,156	1,135	1,156	1,305	1,480	1,837	1,865	1,772	1,847
Somerset	618	550	635	675	800	759	940	1,021	1,011	1,067
Wicomico	2,522	2,307	2,348	2,669	2,583	2,245	2,644	2,604	2,621	2,647
Worcester	1,618	1,992	1,388	1,698	1,710	1,882	2,131	2,180	2,136	2,204
<u>Second Circuit</u>	4,669	4,436	4,957	5,602	5,369	5,625	5,891	6,259	6,437	6,677
Caroline	618	750	678	750	687	897	977	1,016	1,040	1,094
Cecil	2,121	1,975	2,219	2,311	2,356	2,484	2,376	2,549	2,633	2,708
Kent	457	414	378	430	388	372	551	668	558	579
Queen Anne's	726	735	886	1,054	991	939	944	951	1,071	1,110
Talbot	747	562	796	1,057	947	933	1,043	1,075	1,135	1,186
<u>Third Circuit</u>	19,582	19,642	20,303	22,281	22,931	25,144	28,487	29,792	27,094	28,058
Baltimore	16,126	15,857	16,348	18,341	18,352	20,176	23,137	24,325	21,660	22,392
Harford	3,456	3,785	3,955	3,940	4,579	4,968	5,350	5,467	5,434	5,666
<u>Fourth Circuit</u>	6,052	4,980	4,807	5,130	5,378	5,947	6,645	6,679	6,057	6,115
Allegany	2,112	1,650	1,589	1,577	1,544	1,702	1,935	1,828	1,658	1,634
Garrett	725	706	645	724	701	718	684	747	731	737
Washington	3,215	2,624	2,573	2,829	3,133	3,527	4,026	4,104	3,668	3,744
<u>Fifth Circuit</u>	18,399	16,690	17,461	19,906	23,727	26,037	26,681	25,329	25,277	26,346
Anne Arundel	12,671	10,730	11,592	13,198	16,501	18,250	18,257	16,723	16,495	17,242
Carroll	2,612	2,451	2,377	3,190	3,434	3,543	3,603	3,757	3,690	3,748
Howard	3,116	3,509	3,492	3,518	3,792	4,244	4,821	4,849	5,092	5,356
<u>Sixth Circuit</u>	12,653	13,123	13,589	17,139	18,465	19,651	20,837	22,265	23,693	25,113
Frederick	2,688	2,311	2,501	2,357	2,574	2,718	3,163	3,388	3,184	3,283
Montgomery ^d	9,965	10,812	11,088	14,782	15,891	16,933	17,674	18,877	20,509	21,830
<u>Seventh Circuit</u>	25,419	26,469	30,567	32,485	35,561	36,066	39,422	43,583	42,828	44,764
Calvert	1,352	1,640	1,294	1,156	1,317	1,467	1,585	1,536	1,493	1,521
Charles	2,497	2,724	2,694	3,126	3,010	3,195	3,804	4,710	3,717	3,873
Prince George's	20,152	20,415	25,100	26,551	29,653	29,916	32,542	34,525	35,969	37,693
St. Mary's	1,418	1,690	1,479	1,652	1,581	1,488	1,491	2,812	1,649	1,677
<u>Eighth Circuit</u>	56,517	53,013	41,499	42,894	43,209	47,128	50,695	52,302	50,176	50,908
Baltimore City	56,517	53,013	41,499 ^b	42,894	43,209	47,128	50,695	52,302	50,176	50,908
Statewide ^d	149,419	144,358	138,689	151,635	161,038	171,964	186,210	193,879	189,102	195,746

^aDuring Fiscal 1981 and Fiscal 1982, reopened cases were counted when a hearing was held. In all other fiscal years, reopened cases are recorded at the time of the filing of the petition.

^bBaltimore City changed its criminal counting procedures from individual charges to cases in July 1981. Cases are defined as charges arising out of a single incident.

^cFiscal Years 1988 and 1989 projections are based on a linear regression method of forecasting.

^dExcludes juvenile causes heard in Montgomery County.

TABLE 3

FILING TO DISPOSITION OF CASES TERMINATED
IN FISCAL 1987, 1986, 1985, and 1984

	Average in Days - Filing to Disposition							
	All Criminal Cases				Excluding Cases Over 360 Days*			
	'84	'85	'86	'87	'84	'85	'86	'87
<u>First Circuit</u>								
Dorchester	147	175	140	135	147	132	113	121
Somerset	97	256	115	129	90	111	115	128
Wicomico	120	93	92	100	88	86	89	97
Worcester	146	123	123	113	129	117	110	112
<u>Second Circuit</u>								
Caroline	135	144	170	169	128	125	163	160
Cecil	168	166	164	163	143	157	159	146
Kent	161	170	140	173	161	159	129	125
Queen Anne's	186	125	150	158	131	123	123	134
Talbot	131	152	128	237	114	143	126	186
<u>Third Circuit</u>								
Baltimore	130	133	137	138	104	99	106	125
Harford	197	223	210	212	157	173	161	166
<u>Fourth Circuit</u>								
Allegany	154	151	163	182	110	126	144	165
Garrett	158	133	165	124	131	125	160	124
Washington	183	150	165	156	132	130	157	146
<u>Fifth Circuit</u>								
Anne Arundel	159	163	171	181	138	144	143	149
Carroll	224	208	192	237	160	167	150	161
Howard	150	168	150	156	125	131	131	135
<u>Sixth Circuit</u>								
Frederick	131	116	119	134	107	103	111	128
Montgomery	173	179	194	226	134	142	168	178
<u>Seventh Circuit</u>								
Calvert	112	100	115	95	101	96	105	95
Charles	194	162	160	154	83	152	154	141
Prince George's	142	114	117	119	120	104	109	111
St. Mary's	105	142	130	134	105	135	114	127
<u>Eighth Circuit</u>								
Baltimore City	148	115	93	97	121	93	76	81
Statewide	150	135	126	132	121	111	106	112

*This column excludes older cases to give the reader an indication of what the average time would be eliminating those cases which perhaps should have been reported as terminated to the State information system. Approximately 90 to 95 percent of the cases are disposed within this time period.

TABLE 3 (contd.)

FILING TO DISPOSITION OF CASES TERMINATED
IN FISCAL 1987, 1986, 1985, and 1984

	Average in Days - Filing to Disposition							
	All Civil Cases				Excluding Cases Over 721 Days*			
	'84	'85	'86	'87	'84	'85	'86	'87
<u>First Circuit</u>								
Dorchester	417	279	472	222	145	147	141	148
Somerset	242	162	159	163	107	107	116	98
Wicomico	176	180	195	228	139	148	154	179
Worcester	274	211	193	211	176	175	174	177
<u>Second Circuit</u>								
Caroline	203	169	240	202	180	143	197	179
Cecil	174	193	181	247	143	153	152	143
Kent	168	173	140	214	130	129	107	141
Queen Anne's	174	126	191	223	147	88	160	181
Talbot	160	216	208	227	124	155	158	163
<u>Third Circuit</u>								
Baltimore	326	310	299	326	223	216	210	213
Harford	261	269	248	322	174	182	176	186
<u>Fourth Circuit</u>								
Allegany	244	443	328	294	164	261	232	216
Garrett	243	220	196	208	183	192	189	187
Washington	238	332	240	238	153	179	170	182
<u>Fifth Circuit</u>								
Anne Arundel	370	236	248	399	202	173	184	228
Carroll	260	263	322	346	161	147	151	187
Howard	390	434	288	364	263	261	225	262
<u>Sixth Circuit</u>								
Frederick	214	224	243	224	152	169	173	184
Montgomery	598	622	405	369	217	223	245	242
<u>Seventh Circuit</u>								
Calvert	216	228	274	253	151	170	189	191
Charles	216	226	240	241	183	181	193	192
Prince George's	468	350	317	338	249	246	241	206
St. Mary's	181	202	202	205	161	178	184	173
<u>Eighth Circuit</u>								
Baltimore City	265	252	303	375	206	187	194	243
Statewide	364	328	299	333	208	200	204	214

*This column excludes older cases to give the reader an indication of what the average time would be eliminating those cases which perhaps should have been reported as terminated to the State information system. Approximately 90 to 95 percent of the cases are disposed within this time period.

TABLE 3 (contd.)

FILING TO DISPOSITION OF CASES TERMINATED
IN FISCAL 1987, 1986, 1985, and 1984

	Average in Days - Filing to Disposition							
	All Juvenile Cases				Excluding Cases Over 271 Days*			
	'84	'85	'86	'87	'84	'85	'86	'87
<u>First Circuit</u>								
Dorchester	72	37	54	37	37	37	32	37
Somerset	12	66	25	35	12	26	14	19
Wicomico	33	32	37	53	30	32	34	35
Worcester	71	55	65	73	51	47	59	58
<u>Second Circuit</u>								
Caroline	117	65	50	55	47	59	50	50
Cecil	43	71	46	75	42	48	46	56
Kent	29	73	38	37	29	65	38	37
Queen Anne's	37	44	82	55	37	40	35	47
Talbot	106	52	69	81	42	52	69	60
<u>Third Circuit</u>								
Baltimore	81	54	63	59	61	43	51	48
Harford	62	78	74	78	53	48	55	59
<u>Fourth Circuit</u>								
Allegany	30	32	39	79	27	29	38	67
Garrett	56	32	51	38	31	32	51	38
Washington	45	36	43	50	40	36	43	43
<u>Fifth Circuit</u>								
Anne Arundel	107	91	80	87	85	82	74	80
Carroll	78	78	74	91	68	68	69	82
Howard	145	82	74	83	102	71	64	72
<u>Sixth Circuit</u>								
Frederick	81	59	69	81	65	59	68	70
Montgomery	125	161	115	171	77	92	85	106
<u>Seventh Circuit</u>								
Calvert	107	105	122	154	70	73	77	81
Charles	67	116	68	66	62	65	66	65
Prince George's	61	104	76	75	49	63	64	71
St. Mary's	65	88	134	95	59	81	73	82
<u>Eighth Circuit</u>								
Baltimore City	78	86	90	119	62	63	68	65
Statewide	81	90	83	101	61	64	66	66

*This column excludes older cases to give the reader an indication of what the average time would be eliminating those cases which perhaps should have been reported as terminated to the State information system. Approximately 90 to 95 percent of the cases are disposed within this time period.

TABLE 4

MARYLAND POPULATION CHANGE BETWEEN 1970 AND 1980 CENSUS
AND POPULATION PROJECTIONS THROUGH JULY 1, 1988

Circuit/ Jurisdiction	Actual Population		Actual Annual Rate of Change	Population Projections		Projected Annual Rate of Change
	April 1, 1970	April 1, 1980		July 1, 1980 ^a	July 1, 1988 ^b	
<u>First Circuit</u>	127,007	145,240	1.44	145,700	156,900	.61
Dorchester	29,405	30,623	0.41	30,650	30,100	-.14
Somerset	18,924	19,188	0.14	19,200	18,000	-.50
Wicomico	54,236	64,540	1.9	64,800	71,800	.86
Worcester	24,442	30,889	2.64	31,050	37,000	1.53
<u>Second Circuit</u>	131,322	151,380	1.53	151,890	170,200	.96
Caroline	19,781	23,143	1.7	23,230	24,600	.47
Cecil	53,291	60,430	1.34	60,610	70,900	1.36
Kent	16,146	16,695	0.34	16,710	16,900	.09
Queen Anne's	18,422	25,508	3.85	25,690	30,500	1.50
Talbot	23,682	25,604	0.81	25,650	27,300	.51
<u>Third Circuit</u>	735,787	801,545	0.89	803,190	850,700	.47
Baltimore	620,409	655,615	0.57	656,500	699,000	.52
Harford	115,378	145,930	2.65	146,690	151,700	.27
<u>Fourth Circuit</u>	209,349	221,132	0.56	220,400	217,200	-.12
Allegany	84,044	80,548	-0.42	80,460	76,200	-.42
Garrett	21,476	27,498	2.34	26,620	27,500	.26
Washington	103,829	113,086	0.89	113,320	113,500	.01
<u>Fifth Circuit</u>	429,442	585,703	3.64	589,610	674,700	1.15
Anne Arundel	298,042	370,775	2.44	372,590	414,900	.91
Carroll	69,006	96,356	4.0	97,040	112,600	1.28
Howard	62,394	118,572	9.0	119,980	147,200	1.81
<u>Sixth Circuit</u>	607,736	693,845	1.42	695,460	780,200	.97
Frederick	84,927	114,792	3.52	115,000	136,700	1.51
Montgomery	522,809	579,053	1.08	580,460	643,500	.87
<u>Seventh Circuit</u>	777,467	832,355	0.71	833,740	883,500	.48
Calvert	20,682	34,638	6.75	34,990	44,300	2.13
Charles	47,678	72,751	5.26	73,380	92,200	2.05
Prince George's	661,719	665,071	0.05	665,160	675,500	.12
St. Mary's	47,388	59,895	2.64	60,210	71,500	1.50
<u>Eighth Circuit</u>						
Baltimore City	905,787	786,775	-1.31	783,800	750,400	-.34
STATEWIDE	3,923,897	4,217,975	0.75	4,223,790	4,483,800	.49

SOURCES: Maryland Vital Statistics Annual Report, 1980, and Maryland Population Report July 1, 1980 and Projections to 1988, Department of Health and Mental Hygiene, Center for Health Statistics.

^aThe July 1, 1980 population estimate was prepared by the Center for Health Statistics by adding to the 1980 census population (April 1, 1980) 1/40th the change between the 1970 and 1980 censuses for each political subdivision. The subdivisions were then summed to obtain the total state population.

^bChange in population from one year to the next is dependent upon two factors -- natural increase and net migration. Natural increase is the excess of births over deaths. Net migration is the difference between the number of people moving into an area and the number moving out. For further information, see source documents above.

TABLE 5
COMPARATIVE WORKLOAD MEASURES PER CIRCUIT COURT JUDGE^a
(Fiscal Year 1987)

Jurisdiction (Number of Judges)	(1) Filings Per Judge (Rank)	(2) Pending Cases Per Judge (Rank)	(3) Dispositions Per Judge (Rank)	(4) Population ^b Per Judge (Rank)	(5) Attorney/Judge Ratio
<u>First Circuit</u>					
Dorchester (1)	1,865 (7)	744 (15)	1,722 (5)	30,200 (17)	25 (21)
Somerset (1)	1,021 (19)	483 (21)	951 (17)	18,200 (22)	10 (24)
Wicomico (2)	1,302 (13)	586 (19)	1,264 (10)	35,350 (14)	54 (10)
Worcester (2)	1,090 (17)	589 (18)	1,056 (15)	18,050 (23)	36 (17)
<u>Second Circuit</u>					
Caroline (1)	1,016 (20)	547 (20)	836 (21)	24,400 (21)	22 (23)
Cecil (2)	1,275 (14)	789 (14)	1,123 (13)	34,750 (15)	33 (20)
Kent (1)	668 (24)	299 (23)	648 (24)	16,900 (24)	35 (18)
Queen Anne's (1)	951 (21)	415 (22)	898 (20)	29,900 (18)	42 (14)
Talbot (1)	1,075 (18)	686 (17)	906 (19)	27,200 (20)	92 (6)
<u>Third Circuit</u>					
Baltimore (13)	1,871 (6)	1,816 (4)	1,585 (8)	53,354 (3)	157 (3)
Harford (4)	1,367 (12)	2,139 (2)	1,144 (12)	37,825 (11)	57 (9)
<u>Fourth Circuit</u>					
Allegany (2)	914 (22)	1,102 (9)	696 (23)	38,350 (10)	36 (16)
Garrett (1)	747 (23)	285 (24)	745 (22)	27,400 (19)	23 (22)
Washington (3)	1,368 (11)	864 (13)	1,189 (11)	37,767 (12)	37 (15)
<u>Fifth Circuit</u>					
Anne Arundel (9)	1,858 (8)	1,810 (5)	1,735 (4)	45,500 (5)	96 (5)
Carroll (2)	1,879 (5)	1,318 (8)	1,657 (7)	55,300 (2)	70 (8)
Howard (4)	1,212 (15)	1,068 (11)	1,115 (14)	36,000 (13)	141 (4)
<u>Sixth Circuit</u>					
Frederick ^d (3)	1,129 (16)	721 (16)	947 (18)	44,600 (7)	52 (11)
Montgomery ^d (13)	1,452 (10)	1,993 (3)	958 (16)	49,031 (4)	260 (1)
<u>Seventh Circuit</u>					
Calvert (1)	1,536 (9)	872 (12)	1,488 (9)	43,000 (8)	44 (13)
Charles (2)	2,355 (2)	1,074 (10)	2,062 (2)	44,850 (6)	35 (19)
Prince George's (16)	2,158 (4)	1,637 (6)	2,044 (3)	42,219 (9)	75 (7)
St. Mary's (1)	2,812 (1)	1,324 (7)	2,326 (1)	69,900 (1)	49 (12)
<u>Eighth Circuit</u>					
Baltimore City (23)	2,274 (3)	4,229 (1)	1,665 (6)	32,826 (16)	188 (2)
State (109)	1,779	2,050	1,480	40,861	126

^aThe number of judges used in developing the rankings in this chart is based on the number authorized in Fiscal 1987 (109 statewide).

^bPopulation estimate for July 1, 1987, issued by the Maryland Center for Health Statistics.

^cAttorney statistics obtained from the Administrator of the Clients' Security Trust Fund of the Bar of Maryland as of February 10, 1987. Out-of-state attorneys are not included in these ratios.

^dExcludes juvenile cases in Montgomery County District Court.

TABLE 6
COMPARED RANKING OF VARIOUS FACTORS AFFECTING JUDGESHIP ALLOCATION

	Ranking of Predictive Factors				Ranking of Performance Factors (Inverted Ranking Used ^a to Show Longest Times)		
	Filings	Popu- lation	Pending Cases	Attorneys	Time/ Civil	Time/ Criminal	Time/ Juvenile
<u>First Circuit</u>							
Dorchester	7	17	15	21	148 (21)	121 (19)	37 (21)
Somerset	19	22	21	24	98 (24)	128 (14)	19 (24)
Wicomico	13	14	19	10	179 (17)	97 (22)	35 (23)
Worcester	17	23	18	17	177 (18)	112 (20)	58 (14)
<u>Second Circuit</u>							
Caroline	20	21	20	23	179 (16)	160 (6)	50 (16)
Cecil	14	15	14	20	143 (22)	146 (9)	56 (15)
Kent	24	24	23	18	141 (23)	125 (16)	37 (22)
Queen Anne's	21	18	22	14	181 (15)	134 (12)	47 (18)
Talbot	18	20	17	6	163 (20)	186 (1)	60 (12)
<u>Third Circuit</u>							
Baltimore	6	3	4	3	213 (6)	125 (17)	48 (17)
Harford	12	11	2	9	186 (12)	166 (3)	59 (13)
<u>Fourth Circuit</u>							
Allegany	22	10	9	16	216 (5)	165 (4)	67 (9)
Garrett	23	19	24	22	187 (11)	124 (18)	38 (20)
Washington	11	12	13	15	182 (14)	146 (8)	43 (19)
<u>Fifth Circuit</u>							
Anne Arundel	8	5	5	5	228 (4)	149 (7)	80 (5)
Carroll	5	2	8	8	187 (10)	161 (5)	82 (2)
Howard	15	13	11	4	262 (1)	135 (11)	72 (6)
<u>Sixth Circuit</u>							
Frederick	16	7	16	11	184 (13)	128 (13)	70 (8)
Montgomery	10	4	3	1	242 (3)	178 (2)	106 (1)
<u>Seventh Circuit</u>							
Calvert	9	8	12	13	191 (9)	95 (23)	81 (4)
Charles	2	6	10	19	192 (8)	141 (10)	65 (10)
Prince George's	4	9	6	7	206 (7)	111 (21)	71 (7)
St. Mary's	1	1	7	12	173 (19)	127 (15)	82 (3)
<u>Eighth Circuit</u>							
Baltimore City	3	16	1	2	243 (2)	81 (24)	65 (11)

^aLower number indicates greater need for judgeship. (So, for example, a number one ranking of a predictive factor would indicate a higher amount of volume whereas a number one ranking of a performance factor would indicate a slower ability to handle workload.)

TABLE 7
COLLECTIVE RANKING OF JURISDICTIONS
BY BOTH PREDICTIVE AND PERFORMANCE FACTORS**
(FISCAL 1987)

Summary of Predictive Factors by Jurisdiction*		Summary of Performance Factors by Jurisdiction*	
1. Baltimore City	(7.25)	1. Montgomery County	(2.0)
2. St. Mary's County	(7.5)	2. Anne Arundel County	(5.33)
3. Baltimore County	(8.0)	3. Carroll County	(5.67)
4. Prince George's County	(10.0)	4. Howard County	(6.0)
5. Montgomery County	(10.25)	5. Allegany County	(6.0)
6. Carroll County	(10.25)	6. Charles County	(9.33)
7. Anne Arundel County	(11.0)	7. Harford County	(9.33)
8. Charles County	(12.75)	8. Talbot County	(11.0)
9. Harford County	(15.0)	9. Frederick County	(11.33)
10. Calvert County	(18.0)	10. Prince George's County	(11.67)
11. Howard County	(21.0)	11. Calvert County	(12.0)
12. Washington County	(21.5)	12. St. Mary's County	(12.33)
13. Dorchester County	(22.25)	13. Baltimore City	(12.33)
14. Frederick County	(24.5)	14. Caroline County	(12.67)
15. Wicomico County	(25.25)	15. Baltimore County	(13.33)
16. Cecil County	(26.25)	16. Washington County	(13.67)
17. Allegany County	(27.5)	17. Queen Anne's County	(15.0)
18. Talbot County	(28.5)	18. Cecil County	(15.33)
19. Worcester County	(31.75)	19. Garrett County	(16.33)
20. Queen Anne's County	(34.75)	20. Worcester County	(17.33)
21. Caroline County	(36.0)	21. Dorchester County	(20.33)
22. Somerset County	(36.25)	22. Kent County	(20.33)
23. Garrett County	(39.5)	23. Somerset County	(20.67)
24. Kent County	(40.0)	24. Wicomico County	(20.67)

*Collective ranking determined by assigning a weight of three to filings per judge, a weight of one to population per judge, a weight of two to pending cases per judge, and a weight of one to attorney/judge ratio.

*Collective ranking determined by assigning an equal weight (of one) to the filing to disposition times of criminal, law, equity, and juvenile cases. (Inverted ranking to show longest times.)

**Lower number indicates greater need for judgeship so, for example, a number one ranking of a predictive factor would indicate a higher amount of volume whereas a number one ranking of a performance factor would indicate a slower ability to handle workload. If a jurisdiction is listed near the top of both lists, then this shows that a relatively strong need exists for a judge based on the variables considered.

TABLE 8
PROJECTED NUMBER OF JUDGES NEEDED IN CIRCUIT COURTS

	Projected Filings 1989 ^a	No. of Judges	No. of Masters and Judges Cross-designated ^b	Adjusted Number Judicial Officers	Average Projected No. of Filings Per Judicial Officer 1989	Judicial Officers by Standard ^c	Addtl. Judges Needed ^d
First Circuit							
Dorchester	1,847	1	0	1.0	1,847	1.8	0.8
Somerset	1,067	1	0	1.0	1,067	1.1	0.1
Wicomico	2,647	2	0	2.0	1,324	2.6	0.6
Worcester	2,204	2	0	2.0	1,102	2.2	0.2
Circuit Total	7,765	6	0	6.0	1,294	7.7	1.7
Second Circuit							
Caroline	1,094	1	0	1.0	1,094	1.1	0.1
Cecil	2,708	2	0.2	2.2	1,231	2.7	0.5
Kent	579	1	0	1.0	579	0.6	(0.4)
Queen Anne's	1,110	1	0	1.0	1,110	1.1	0.1
Talbot	1,186	1	0	1.0	1,186	1.2	0.2
Circuit Total	6,677	6	0.2	6.2	1,077	6.7	0.5
Third Circuit							
Baltimore	22,392	13	2.8	15.8	1,417	17.2	1.4
Harford	5,666	4	0.6	4.6	1,231	5.1	0.5
Circuit Total	28,058	17	3.4	20.4	1,375	22.3	1.9
Fourth Circuit							
Allegany	1,634	2	0	2.0	817	1.6	(0.4)
Garrett	737	1	0	1.0	737	0.7	(0.3)
Washington	3,744	3	0	3.0	1,248	3.7	0.7
Circuit Total	6,115	6	0	6.0	1,019	6.0	0.0
Fifth Circuit							
Anne Arundel	17,242	9	3.0	12.0	1,436	14.3	2.3
Carroll	3,748	2	0.6	2.6	1,441	3.7	1.1
Howard	5,356	4	1.0	5.0	1,071	4.9	(0.1)
Circuit Total	26,346	15	4.6	19.6	1,344	22.9	3.3
Sixth Circuit							
Frederick	3,283	3	0	3.0	1,094	3.3	0.3
Montgomery	21,830	13	4.4	17.4	1,254	16.8	(0.6)
Circuit Total	25,113	16	4.4	20.4	1,231	20.1	(0.3)
Seventh Circuit							
Calvert	1,521	1	0	1.0	1,521	1.5	0.5
Charles	3,873	2	0	2.0	1,937	3.9	1.9
Prince George's	37,693	16	6.0	22.0	1,713	26.9	4.9
St. Mary's	1,677	1	0.2	1.2	1,397	1.7	0.5
Circuit Total	44,764	20	6.2	26.2	1,708	34.0	7.8
Eighth Circuit							
Baltimore City	50,908	23	12.6	35.6	1,430	36.3	0.7

^aBoth Harford and Montgomery Counties have no Orphans' Court and disposition of these matters is handled directly by the Circuit Court judges. Approximately 15 hearings were added to Harford County's projection and 150 hearings to Montgomery County's projection for Fiscal 1989.

^bJuvenile masters in some jurisdictions here only considered a percentage of a judicial officer because of the number of filings handled yearly by these individuals. Also, in Cecil and Wicomico Counties, District Court judges are cross-designated to hear juvenile matters in the circuit court. This amounts to about one day a week or 0.2 of a judge. (Note: In Wicomico County, when the District Court judge sits in juvenile court, the circuit court judge sits in the District Court. Therefore, no adjustments in the total number of judicial officers are needed.) Judgeship count for Baltimore City includes one District Court judge who is assigned to the Circuit Court of Baltimore City on an annual basis for about 8-1/2 months. This amounts to about .7 of additional judicial assistance yearly. Also included in the number of temporary judicial officers are retired judges who are recalled in some jurisdictions for settlement conferences.

^cThe scale utilized for this column in Fiscal 1989 is as follows: 1000 filings - 1 to 3 judicial officers; 1100 filings - 4 to 8 judicial officers; 1200 filings - 9 to 14 judicial officers; 1300 filings - 15 to 19 judicial officers; 1400 filings - 20 or more judicial officers.

^dA need for additional judgeships is shown by a number without parentheses, whereas, a surplus in judgeships is shown by a number in parentheses.

**First Judicial Circuit
of Maryland
Princess Anne, Maryland 21853
(301) 651-1630**

Eldon E. Stephens
Judge

November 24, 1987

The Honorable Robert C. Murphy
Chief Judge, Court of Appeals
Courts of Appeal Bldg.
361 Rowe Blvd.
Annapolis, Maryland 21401

Dear Chief Judge Murphy:

This letter is in response to the "Statistical Need Analysis for New Judgeships" received from your office in recent days.

A year ago I requested an additional judge for this circuit, effective January 1, 1988. The plan was to have the new judge based in Wicomico County but to divide his services about equally between Dorchester and Wicomico Counties. After discussions with your office, I withdrew the request with the understanding that I would resubmit in December, 1987. In the mean time the extra work in the two counties was to be handled by the assigning of retired judges, as well as other judges from within the circuit, when their schedules permitted. This has been done and it has worked fairly satisfactorily.

I am now resubmitting my request for a seventh judge for this circuit to be housed in Wicomico County but to work in the circuit where needed, primarily in Wicomico and Dorchester.

According to figures provided by your office, Dorchester County needs 1.3 judges, an increase of 0.2 over last year and Wicomico has need for 2.6. Between the two counties a need for 1.4 judges exist, in addition to the three they now have.

As stated above, we have handled the extra load by the assignment of outside judges. During the period July 1986 through June 1987, Dorchester used visiting judges a total of 53 days (retired judges, 27 days; active setting judges, 26 days). During the period July, 1987 through June, 1988, visiting judges are scheduled for Dorchester County a total of 93 days. These figures do not include days on which judges trade courts. They are strictly days during which Dorchester County has additional judges sitting.

page 2.

During the past twelve months I have conducted court in counties other than Somerset a total of fifty-six days. Thirty-six of these were in Wicomico and thirteen in Dorchester. In a matter of months, when the Eastern Correctional Institution reaches full operation, I will have very little time to serve in Wicomico or Dorchester Counties. Such being the case, where are we to get the additional help? Worcester County is already 0.2 judges short.

I am advised by prison official and judges in counties where large prisons are located that it is only a matter of time before the prison will require two court days per week. Prisoners have already started to file cases, mostly civil. The County has started to meet this influx by doubling the size of the Clerk of Court's space. The project will soon be completed. The time when I will be able to devote fifty-six days a year to out-of-county work is rapidly coming to an end. When it does we will either have to have a new judge to take care of Wicomico and Dorchester or fill the needs of the two by use of retired judges, if available.

Adequate accomodations for a new judge will not be an insurmountable problem in either County.

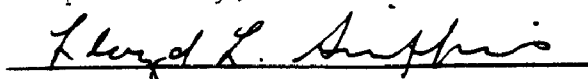
Dorchester County will present the greatest problem. It now has a beautiful jury trial courtroom and a small, inadequate, non-jury courtroom. It has fine chambers for its one judge but poor, almost non-existent, chambers for the part-time judge. However, I feel certain that if we are successful in our request the County Commissioners of that County will make every effort to up-grade the facilities to a point of adequacy.

Wicomico presents no real problem. It now has two jury courtrooms and one non-jury. Construction of additional space is to commence in a matter of months. (note the attached letter from Judge Truitt).

The bottom line is we must have an additional judge for this circuit by July, 1988. Such will be fully justified, otherwise I would not make such a request.

Of course if the State continues to be unable to "fire up" the furnace or stop the wells from pumping sand at the prison we won't have the added case load in this County and I'll be able to continue helping out anywhere you want me. I understand that during the recent cold spell the Warden's office was being heated by a "Bunsen burner" and drinking water was being carried in in buckets.

Respectfully,


Lloyd L. Simpkins
Administrative Judge
First Judicial Circuit

Page 3.

Enclosure

cc: Somerset, Worcester, Wicomico, and Dorchester Co. Governments
Senator Lewis R. Riley
Senator Frederick C. Malkus, Jr.
Delegate Daniel M. Long
Delegate Samuel Q. Johnson, III
Delegate Norman H. Conway
Delegate Mark O. Pilchard
Delegate Richard F. Colburn
Richard H. Outten, Court Administrator
James H. Norris, Jr., State Court Administrator



The Circuit Court for Wicomico County

FIRST JUDICIAL CIRCUIT OF MARYLAND

SALISBURY, MARYLAND 21801

D. WILLIAM SIMPSON
ASSOCIATE JUDGE
P. O. BOX 806

TELEPHONE (301) 548-4822

November 6, 1987

The Honorable Lloyd L. Simpkins
Chief Judge, First Judicial Circuit
Court House
Princess Anne, MD 21853

Dear Lloyd:

In response to your request that we comment on the Statistical Needs Analysis for New Judgeships as compiled by the Administrative Office of the Courts, please be advised that we are in agreement with the analysis as prepared; that the Wicomico County Council has been made aware of the report and they are in the process of making arrangements for the necessary physical facilities and supporting personnel in anticipation of the authorization by the Legislature for the additional Judge.

If you need any further information concerning this, please feel free to call on us.

Very truly yours,

Alfred T. Truitt, Jr.
Judge

D. William Simpson
Judge

ATTJr:wbr



The Second Judicial Circuit of Maryland

CIRCUIT COURT FOR CAROLINE COUNTY

J. OWEN WISE
ADMINISTRATIVE JUDGE

Dec. 1, 1987

COURT HOUSE
P. O. BOX 356
DENTON, MARYLAND 21629
301-479-2303

TO: Honorable Robert C. Murphy
Chief Judge, Circuit Courts of Maryland

FROM: Honorable J. Owen Wise *Jow*
Circuit Administrative Judge, Second Judicial Circuit

RE: Statistical Needs Analysis for New Judgeships

I have reviewed the Statistical Needs Analysis for Fiscal 1989 with the judges and court personnel in the Second Judicial Circuit. We have no basis for requesting additional judgeships in the Circuit for the ensuing fiscal year. At the present rate of increase of criminal cases and jury trial prayers, we may soon require an additional judge for Cecil County, to be shared part-time with the rest of the Circuit. The use of a retired judge for civil pre-trial settlements has been of appreciable assistance to us in our civil caseload. This has helped blunt the increase in trials on the criminal side.

Our immediate concern is the necessity of completely closing a court whenever one of our judges is sick, on leave, or Temporary Assignment Plan. This is obviously inefficient use of resources, but each of our judges has a full docket scheduled almost every day in his own County. The absence of any judge in the Circuit requires cancellation of court in some County. We have no reserve to fill a precipitous vacancy, and geography and venue prevent us from transferring cases to another County, as you know. Making another retired judge available to us as a rotating fill-in would enable us to keep all courts functioning all the time.

JOW/sw



The Circuit Court for Baltimore County

THIRD JUDICIAL CIRCUIT OF MARYLAND

FRANK E. CICONE

CHIEF JUDGE

AND

CIRCUIT ADMINISTRATIVE JUDGE

November 25, 1987

COUNTY COURTS BUILDING

TOWSON, MARYLAND 21204

301.494-2500

The Honorable Robert C. Murphy
Chief Judge
Court of Appeals of Maryland
County Courts Building
401 Bosley Avenue
Towson, Maryland 21204

RE: Statistical Needs Analysis
Fiscal 1989

Dear Chief Judge Murphy:

In response to the Statistical Needs Analysis for Additional Judgeships in the Circuit Court Fiscal 1989, we concur with its findings that recommend 1.4 additional judges in Baltimore County. While we submit that our projections indicate a greater need for judicial officers, it is our feeling that one judge at this time will be sufficient.

Over the past 7 years, the workload of the Third Circuit has increased by 51.6% and ranks as the third highest filing level statewide. Over the same period, Baltimore County's total filings increased by 53.4%. Not only is this reflective of a precipitous growth in sheer volume, but the nature of this caseload is characterized by many complex and protracted types of litigation.

The size of the pending caseload in relation to dispositions is strongly associated with the pace of litigation. In FY '87, the pending caseload increased by 15%, while terminations increased by only 5%. This has increased the average elapsed times from filing to disposition in both civil and criminal cases.

There were 246 jury trials conducted in Baltimore County which amounts to a 68% increase over the previous year. This significant increase has occurred despite the implementation of a highly successful pretrial settlement court in law and equity matters.

Additionally, prayers for jury trials increased by 985 requests and since FY '84 have increased by 187%. The large inventory of these cases necessitated the temporary assignment of several retired judges to assist in reducing the backlog.

As the District Court workload has continued to swell, of greater significance is the increase of criminal indictments by 20% over the past year. Once a media event, murder trials have become commonplace in Baltimore County. In FY '87, the Court conducted 18 murder trials, in FY '88 there are already 25 scheduled trials through March.

Asbestos litigation continues to grow at a staggering rate. The present inventory stands at 1,500 cases with approximately 180 additional filings monthly. The volume of these cases has required a third judge be added to this assignment to accommodate three trial groups monthly. In addition, a fourth judge has been assigned to handle the numerous cases involving government buildings containing asbestos. All civil filings for the first quarter of FY '88 are up by 15% over a year ago.

The judges of this Bench are the hardest working in the State, if not in the Nation. I am of the opinion that they are now strained to the breaking point. We energetically have attempted to manage these burdensome caseloads while maintaining high rates of disposition. However, our need of an additional judge has become desperate. We respectfully request that an additional judge for Baltimore County be approved by the Legislature and be appointed immediately thereafter.

Very truly yours,



Frank E. Cicone

FEC:ems



FRED C. WRIGHT III
ASSOCIATE JUDGE
FOURTH JUDICIAL CIRCUIT
OF MARYLAND

COURT HOUSE
HAGERSTOWN, MD. 21740
TELEPHONE (301) 791-3111

November 18, 1987

Mr. James H. Norris, Jr.
State Court Administrator
Administrative Office of the Courts
361 Rowe Boulevard
Annapolis, Maryland 21401

Dear Mr. Norris:

There is no need for additional judges for either Washington County, Allegany County or Garrett County during the fiscal 1988-89 year. If the trends continue, however, compounded by asbestos litigation, Washington County may require a fourth judge in another year.

A handwritten signature in cursive script, appearing to read "Fred C. Wright, III".

Fred C. Wright, III
Administrative Judge
Fourth Judicial Circuit

FCW/cbl

STATE OF MARYLAND
FIFTH JUDICIAL CIRCUIT
ANNE ARUNDEL COUNTY COURTHOUSE
ANNAPOLIS
21401

RAYMOND G. THIEME, JR.
CIRCUIT ADMINISTRATIVE JUDGE

December 8, 1987

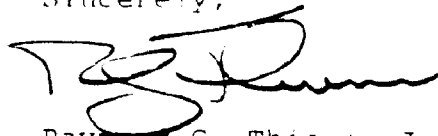
TELEPHONE (301) 280-1290

Honorable Robert C. Murphy
Chief Judge
Court of Appeals of Maryland
Courts of Appeal Building
Rowe Boulevard
Annapolis, Maryland 21401

Dear Judge Murphy:

I understand that my prior letter regarding the need for an additional Judge in Carroll County is being misconstrued. I indicated therein that an additional Judge would be the only way to reduce the present backlog of cases. By this I did not mean to infer and it is not my opinion that the present backlog is unmanageable or should be reduced. As I am sure you are aware, some backlog is required for the proper function of the court. Cases are being set and being handled in an expeditious manner in Carroll County at the present time and I therefore see no need for an additional Judge.

Sincerely,



Raymond G. Thieme, Jr.

RGT:pjr

cc: Honorable Donald J. Gilmore

STATE OF MARYLAND
FIFTH JUDICIAL CIRCUIT
ANNE ARUNDEL COUNTY COURTHOUSE
ANNAPOLIS
21401

RAYMOND G. THIEME, JR.
CIRCUIT ADMINISTRATIVE JUDGE

December 1, 1987

TELEPHONE 301 280-1290

Honorable Robert C. Murphy
Chief Judge
Court of Appeals of Maryland
Courts of Appeal Building
Rowe Boulevard
Annapolis, Maryland 21401

Dear Judge Murphy:

Attached herewith is Judge Gilmore's request for an additional judgeship for Carroll County. It would appear that any meaningful reduction in the present caseload in Carroll County can only be made in this manner.

No additional judgeships have been requested for either Anne Arundel or Howard Counties.

Sincerely,



Raymond G. Thieme, Jr.

RGT:pjr

Enclosure

cc: Honorable Bruce C. Williams
Honorable Robert F. Fischer
Honorable Donald J. Gilmore

FIFTH JUDICIAL CIRCUIT
OF MARYLAND
WESTMINSTER, MARYLAND

DONALD J. GILMORE
ASSOCIATE JUDGE

21157

COURTHOUSE
COURT STREET

November 30, 1987

The Honorable Raymond G. Thieme, Jr.
Circuit Court for Anne Arundel County
Courthouse
Annapolis, Maryland 21401

Dear Ray:

In response to your letter of October 26, 1987, please be advised that we are renewing our request for an additional Circuit Court Judge.

A third Judge would be accommodated, physically, on the first level of the old Courthouse where a non-jury hearing room is available. This would serve as an interim Courtroom, pending the construction of a new jury Courtroom.

The local financial support is in place. The County Commissioners are well aware of the need and have previously appropriated \$20,000.00 toward the planning and study of a new Courtroom in the Annex.

Delegate Richard Matthews reported to me that he polled the Delegation and found that a majority of the Delegation supports the request.

The local Bar Association supports the request, and a copy of President Boswell's letter dated November 24, 1987 is enclosed.

Very truly yours,



Donald J. Gilmore

DJG/ble

Enclosure: 1

THE BAR ASSOCIATION OF CARROLL COUNTY
Westminster, Maryland

November 24, 1987

The Honorable Donald J. Gilmore
P. O. Box 190
Westminster, Maryland 21157

Dear Judge Gilmore:

As a follow up to our recent telephone conversation I am writing on behalf of the directors of the Carroll County Bar Association.

Because the quarterly meeting of the Association is not scheduled until December 7, 1987, I called a special meeting of the directors on November 23, 1987.

As the representatives for the Association the directors voted in favor of requesting a third Circuit Court Judgeship for Carroll County.

If you should need our assistance any further in this matter please let us know.

Very truly yours,

CARROLL COUNTY BAR ASSOCIATION



Richard V. Boswell, President

RVB/caw

Seventh Judicial Circuit of Maryland

COURT HOUSE

UPPER MARLBORO, MARYLAND 20772

ERNEST A. LOVELESS, JR.
CHIEF JUDGE
CIRCUIT ADMINISTRATIVE JUDGE

November 24, 1987

(301) 952-4093

Chief Judge Robert C. Murphy
Court of Appeals
County Courts Building
Towson, Maryland 21204

Re: Need for Additional Judges in the Seventh Circuit

Dear Judge Murphy:


As reflected in the statistics prepared by the Administrative Office of the Courts and the reality of the Court's daily workload, it is obvious that the Seventh Judicial Circuit is in need of a significant increase in judicial assistance. Therefore, we are requesting an additional judge for Prince George's County and an additional judge for Charles County. In both Counties the caseload and other statistical figures have justified an increase for some time. We are now reaching the point, however, where additional help must be provided if the efficiency and integrity of the systems are to be maintained.

In terms of Prince George's County, adequate chambers space can be provided on a temporary basis within the existing building and, of course, a new building is planned within the near future. In the past, the County and Legislative Delegations have supported our requests and I have every confidence that they will do the same this year. However, in the event they do not, I will notify you accordingly.

The Charles County Government is moving the County Offices out of the Court House in early 1988. Renovation to the Court House will provide the space necessary for an additional judge.

Inasmuch as the Administrative Office of the Courts' statistics go into some detail as to our need and past requests have included other problems, I will not repeat the information. However, if you should wish additional information prior to going to the Legislature, I will be pleased to provide it.

Very truly yours,



Ernest A. Loveless, Jr.

EAL/mk

Seventh Judicial Circuit of Maryland
COURT HOUSE

LA PLATA, MARYLAND 20646

GEORGE W. BOWLING
ASSOCIATE JUDGE

(301) 645-0540
(202) 870-3000, EXT 540

December 4, 1987

Chief Judge Robert C. Murphy
Court of Appeals
County Courts Building
Towson, Maryland 21204

Re: Additional Judge for Charles County

Dear Judge ^{Bob} Murphy:

As indicated by the statistics prepared by the Administrative Office, it is obvious there is a need for an additional judge in Charles County. I am, therefore, requesting authorization for an additional judge.

The County Government is moving its offices from the present Courthouse, which move is planned about February, 1988. The proposed renovation to the Courthouse provides for two additional courtrooms, one for the District Court and the other for the Circuit Court. Therefore, there will be space for an additional judge in each Court.

I have discussed this request with each of the legislators and they have indicated that they recognize the need and will support the request.

If any additional information is needed, I will be glad to furnish the same at your request.

Very truly yours,

Pete

George W. Bowling
County Administrative Judge

GWB/dhw

Circuit Court
for
Baltimore City

111 NORTH CALVERT STREET
BALTIMORE, MARYLAND 21202

October 27, 1987

JOSEPH H. H. KAPLAN
ADMINISTRATIVE JUDGE

396-5080
City Court TTY 396-4930

Hon. Robert C. Murphy
Chief Judge
Court of Appeals of Maryland
County Courts Building
401 Bosley Avenue
Towson, Maryland 21204

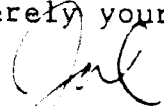
Dear Bob:

After prior missives concerning our burgeoning misdemeanor jury trial problem and our ever-growing asbestos caseload, I do not feel that there would be any point in reiterating at this time facts and figures which justify our need for additional judicial personnel.

I just ask that our prayer for relief be granted.

With best regards, I am

Sincerely yours,


Joseph H. H. Kaplan
Administrative Judge

JHHK/kah



DISTRICT COURT OF MARYLAND

ROBERT F. SWEENEY
Chief Judge

November 30, 1987

Courts of Appeal Building
Annapolis Maryland 21401
Phone: 974-2412

The Honorable Robert C. Murphy
Chief Judge, Court of Appeals
County Courts Bldg., Fifth Floor
401 Bosley Avenue
Towson, Maryland 21204

Dear Judge Murphy:

In accordance with your request, I am herewith submitting my report on the need for newly created judgeships for the District Court for the fiscal year beginning July 1, 1988.

In preparing this request I have consulted with each of the Court's twelve administrative judges and have carefully evaluated our dockets and judicial workload throughout the state. In my discussions with the administrative judges, three of them have requested that I seek an additional judgeship for their district. The Honorable Robert C. Nalley, Administrative Judge of the Fourth District, has asked for the creation of a second judgeship in Charles County. The Honorable William D. Missouri, Administrative Judge of the Fifth District, has asked for the creation of a judgeship in that district, and the Honorable Thomas J. Curley, Administrative Judge of the Seventh District, has asked for the creation of a seventh judgeship in his county.

For reasons hereinafter set out, I have concluded that on the data available to me I can justify the requests for new judgeships in Charles and Prince George's Counties, but that I cannot, this year, justify to you or the General Assembly the need for the seventh judgeship in Anne Arundel County.

In my report to you last year concerning Charles County, I stated the following:

"In Charles County we have had only one District Court judge since the Court began in 1971. We have also experienced a phenomenal increase in the caseload, consistent with that county's growth, as it more and more becomes a commuting suburb of Washington, D. C. In the fiscal year concluded on

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June 30, 1983, there were 13,986 total filings in that court. In the fiscal year concluded June 30, 1986, that number had increased to 18,236. In fiscal 1982, the number of contested cases in Charles County totaled 3,905, whereas in fiscal 1985 they had increased by almost 25%, to 4,858. Although the state of our dockets is not as drastic in Charles County as in Montgomery County, we are beginning to experience substantial backlogs in the trial of criminal and motor vehicle cases, and that situation would be far more severe were it not for the fact that month in and month out, year in and year out, the resident judge, the Honorable Robert C. Nalley, devotes more time on the bench than any of the other 88 trial judges of this Court. In the month of September, 1986, Judge Nalley sat for an average of 4 hours and 49 minutes per day, and this was by no means extraordinary."

In the year that has transpired since that report, there has been another substantial increase in every category of our jurisdiction, as follows:

	<u>FY 1986</u>	<u>FY 1987</u>
Total motor vehicle cases processed	12,669	13,715
Motor vehicle cases tried	2,458	2,668
DWI cases tried	683	822
Civil cases filed	3,419	4,278
Civil cases contested	252	223
Criminal cases processed	2,148	2,543

Please also be advised that Judge Nalley's extraordinarily long court day is now even longer, as in September, 1987 his average time on the bench was 5 hours and 13 minutes.

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By July 1, 1988 we will have the permanent use of a second courtroom, chambers and ancillary space available to us in the Charles County Courthouse. County officials are now completing certain renovations, alterations and construction in that building, and within a matter of months all the necessary facilities for a second judgeship will be available.

Although, as noted hereinabove, the judicial workload in the District Court in Charles County greatly exceeds the capacity of a single judge, it has not yet reached the point where it will require the full professional time of two District Court judges. Therefore, as I will set out in detail later herein, I anticipate that at least for fiscal 1989 I will assign the second District Court judge in Charles County to sit in Anne Arundel County two days per week to help ease backlogs that have arisen in that court.

In Prince George's County we have a total of ten trial judges. That county now has a slightly larger motor vehicle and criminal caseload than Baltimore County, which has twelve judges. Additionally, the contract and tort filings in Prince George's County are 50% higher than Baltimore County, as is the landlord/tenant caseload. The principle difference between the workload in those two counties is that in Baltimore County tried motor vehicle cases amounted to 65,000 last year, while our judges in Prince George's County tried 31,067 traffic cases.

Since July 1, 1984, when we last added a judge in Prince George's County, the caseload has increased as follows:

	<u>FY 1984</u>	<u>FY 1987</u>
Total motor vehicle cases processed	104,000	141,000
Motor vehicle cases tried	23,990	31,067
DWI cases tried	4,081	6,466
Civil cases filed	119,398	142,234
Civil cases tried	7,657	7,984
Criminal cases processed	20,020	19,534

It is also worthy of note that the average daily bench time per judge in Prince George's County is now in excess of 4 hours per day. For September, 1987 the daily average was 4 hours and 8 minutes. For August, it was 3 hours and 55 minutes. I have no reason to believe

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that the caseload and judicial workload in Prince George's County will not continue to increase in the foreseeable future.

At this writing we do not have a courtroom and chambers to accommodate a new judge in Prince George's County. I anticipate that this space will be available on or about July 1, 1988, as we have included in our budget request for fiscal 1989 funding for an additional courtroom, chambers and clerical space in the Largo section of Prince George's County. If our request is approved by the General Assembly, I anticipate that we can lease sufficient space for this purpose until the new District Court/Circuit Court complex is completed in Upper Marlboro in 1990 or 1991.

It is with reluctance that I advise you that I cannot at this time support the request of Administrative Judge Curley in Anne Arundel County. Judge Curley correctly points out that the Court in Anne Arundel County has had a complement of six judges for more than fourteen years, while the caseload has increased substantially in almost every area of our jurisdiction. He also correctly points out that it is a rarity for him to assign himself to chambers or administrative duties, as the administrative judges of the other large districts do from time to time. It is also true that Judge Curley has rarely sought the assignment of out-of-district judges or retired judges to assist with his caseload.

Our records show that over the past five years alone motor vehicle cases processed in the Seventh District have increased by 15,000, criminal cases processed by 2,300 and civil filings by 3,000. These statistics, standing alone, would seem to justify a request to the General Assembly to create an additional judgeship, but there are two corollary factors about which the Assembly would inquire that I do not believe that we could answer to their satisfaction. The first of these is that in District Seven two judges have been ill over the past two years, for a combined loss of 287 judge days. Notwithstanding this substantial loss of judicial manpower, which began in January of 1986, our dockets remained current and backlogs were almost totally nonexistent in that court until May, 1987.

The General Assembly has made it abundantly clear, when dealing with requests for additional judgeships in the past, that it does not consider a protracted judicial illness as sufficient justification for the creation of a new judgeship. Given the

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court's past history of promptly disposing of its heavy caseload, I have no doubt that the General Assembly would require us to show that with the court again at its full complement it would then be unable to remain abreast of its workload. There is no way that we can meet that burden of proof.

The second factor that the General Assembly will doubtless consider, based on our past experience with them, is that notwithstanding the great number of cases disposed of by the judges of the Seventh District, and notwithstanding the judge-time lost to illness, the daily average bench time does not suggest that the court's judges are at present overtaxed. For example, in the month of September, 1987, the average daily bench time for the five judges then in service was less than 3 hours and 15 minutes, and that has been the general pattern in that court over the years.

As I noted in my comments concerning Charles County, it appears to me that the wisest course for us to follow for Anne Arundel County would be to continue to monitor the caseload/backlog situation in that court over the period of the next year when, hopefully, the court will continue to have the service of its full complement of judges. Additionally, if the General Assembly does in fact create the requested judgeship for Charles County, I propose to assign a Charles County judge to Anne Arundel County two days per week, for the specific purpose of eliminating the backlog in cases that has arisen in recent months.

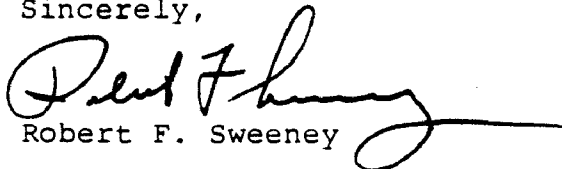
Finally, I wish to advise you that I have carefully discussed with the Honorable Herbert L. Rollins, Administrative Judge of the Eleventh District, the possibility of requesting an additional judge for Frederick County. He and I are in agreement that it would be difficult to justify that request this year, but that the court should be carefully monitored and an additional judge requested next year if the caseload continues to increase as it has in the past. I have also discussed with the Honorable Thomas C. Groton, III, Administrative Judge of the Second District, our situation in Salisbury where the trial judge, the Honorable Richard D. Warren, has been sitting an extraordinary number of hours every day. For example, in September, 1987 Judge Warren sat 5 hours and 50 minutes per day, in August 5 hours per day, and in July 5 hours and 14 minutes a day. Judge Groton and I are in agreement that for the forthcoming year we will assign the judge for Somerset County to sit in an additional court in Salisbury several days a month to avoid the creation of backlogs, if we can find a temporary courtroom, and we will continue to monitor the activities in the Salisbury Court during the next year.

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I wish to assure you that before making the request for the creation of these two additional judgeships I have considered every feasible alternative to meeting the increased demands of the Court in the counties in question. Those of us in the District Court take some pride in the fact that notwithstanding the fact that the caseload of this Court has virtually doubled since the Court's creation in 1971, we have added only 18 judges to our original complement - while during that same time span the circuit courts throughout the state have added a total of 40 judges.

I hope that you find the data contained in this report sufficient for your purposes. We are, of course, willing to provide any additional information on this topic that you might require.

Sincerely,


Robert F. Sweeney

RFS:bjc

BY: The President (Judiciary)

A BILL ENTITLED

AN ACT concerning

Judgeships - Circuit Court

FOR the purpose of altering the number of Circuit Court judgeships in the 1st Judicial Circuit (Wicomico County); 3rd Judicial Circuit (Baltimore County); 7th Judicial Circuit (Prince George's County and Charles County); and 8th Judicial Circuit (Baltimore City).

BY repealing and reenacting, with amendments,

Article - Courts and Judicial Proceedings
Section 1-503(a) and (b)
Annotated Code of Maryland
(1984 Replacement Volume and 1987 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article - Courts and Judicial Proceedings

1-503.

(a) In each county in the first seven judicial circuits there shall be the number of resident judges of the circuit court set forth below, including the judge or judges provided for by the Constitution:

(1) Allegany.....	2
(2) Anne Arundel.....	9
(3) Baltimore County.....	[13] 14
(4) Calvert.....	1
(5) Caroline.....	1
(6) Carroll.....	2
(7) Charles.....	[2] 3
(8) Cecil.....	2
(9) Dorchester.....	1
(10) Frederick.....	3
(11) Garrett.....	1
(12) Harford.....	4

(13) Howard.....	4
(14) Kent.....	1
(15) Montgomery.....	13
(16) Prince George's.....	[16]17
(17) Queen Anne's.....	1
(18) St. Mary's.....	1
(19) Somerset.....	1
(20) Talbot.....	1
(21) Washington.....	3
(22) Wicomico.....	[2] 3
(23) Worcester.....	2

(b) In Baltimore City there shall be [23] 24 resident judges of the Circuit Court for Baltimore City.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1988.

BY: The President (Judiciary)

A BILL ENTITLED

AN ACT concerning

Judgeships - District Court

FOR the purpose of altering the number of District Court judgeships in the 4th Judicial District (Charles County) and the 5th Judicial District (Prince George's County).

BY repealing and reenacting, with amendments,

Article - Courts and Judicial Proceedings
Section 1-603(b)
Annotated Code of Maryland
(1984 Replacement Volume and 1987 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article - Courts and Judicial Proceedings

1-603.

(b) In each of the districts provided for in § 1-602 of this subtitle, there shall be the following number of associate judges of the District Court:

- (1) District 1--23
- (2) District 2--4
- (3) District 3--6, two to be appointed from Cecil County.
- (4) District 4--[3] 4
- (5) District 5--[10] 11
- (6) District 6--11
- (7) District 7--6
- (8) District 8--12
- (9) District 9--3
- (10) District 10--5, two to be appointed from Carroll County and three to be appointed from Howard County.
- (11) District 11--4
- (12) District 12--3

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
July 1, 1988.